

LaMonica Herbst & Maniscalco, LLP
3305 Jerusalem Avenue
Wantagh, New York 11793
(516) 826-6500
Salvatore LaMonica, Esq. (SL#2148)
Noelle B. Fischer, Esq. (NBF#1784)

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
AT CENTRAL ISLIP

-----X
In re:

ACCLAIM ENTERTAINMENT, INC.,

Chapter 7

Case No: 804-85595-288

Debtor.
-----X

**ORDER APPROVING EMPLOYMENT OF
HOFHEIMER GARTLIR & GROSS, LLP, AS SPECIAL LITIGATION COUNSEL TO
PURSUE THE PROSECUTION OF A PENDING LAWSUIT ON BEHALF OF THE
TRUSTEE PURSUANT TO 11 U.S.C. §§327, 328 AND 330**

Upon consideration of the application (the “Application”) of Allan B. Mendelsohn, Esq., the Chapter 7 Trustee (the “Trustee”) of the estate of Acclaim Entertainment, Inc., (the “Debtor”), by his attorneys LaMonica Herbst & Maniscalco, LLP, seeking to employ Hofheimer Gartlir & Gross, LLP (“HG&G”), as Special Litigation Counsel, pursuant to Section 327(e) of the United States Bankruptcy Code (the “Bankruptcy Code”), to pursue the prosecution of Annodeus, Inc. v. Eugene Ciarkowski, et al., Case No. 04-CV 01633 (DCL) (the “Annodeus Litigation”) pending in the United States District Court for the Southern District of New York, on behalf of the Trustee and upon the affidavit of Gary P. Sachs, Esq., a member of HG&G (the “Affidavit”), which is annexed to the Application, and it appearing that: (i) the employment of HG&G is necessary and would be in the best interests of the estate; (ii) HG&G is a “disinterested person” as that term is defined in Section 101(14) of the Bankruptcy Code; and (iii) HG&G is a firm duly qualified to practice in the Courts of the State of New York and before this Court, is experienced in the matters for which it is to be retained and the firm, pursuant to §327(c) of the Bankruptcy Code, represents no adverse

interests, and no adverse interest appearing thereto and no additional notice being required, it is hereby

ORDERED, that the Application be, and it hereby is, approved in all respects; and, it is further

ORDERED, that in accordance with Section 327(e) of the Bankruptcy Code, HG&G be, and it hereby is, authorized and empowered to represent the Trustee and the estate as Special Litigation Counsel for the purpose of prosecuting the Annodeus Litigation; and, it is further

ORDERED, that the retention of HG&G is without prejudice to HG&G's right to make an application to the District Court and the Bankruptcy Court to withdraw as special litigation counsel in the Annodeus Litigation; and it is further

ORDERED, HG&G shall not file an administrative claim in this case, and any fees or disbursements awarded will be paid solely from any recovery on obtained in the Annodeus Litigation; and it is further

[The balance of this page intentionally left blank]

ORDERED, that no compensation or reimbursement of expenses shall be paid to HG&G for professional services rendered to the Trustee, except upon proper application and by further order of this Court.

Dated: Central Islip, New York
June 15th, 2005

s/ Stan Bernstein
Honorable Stan Bernstein
United States Bankruptcy Judge

Dated: Central Islip, New York
June 10, 2005

NO OBJECTION:

/s/ Alfred Dimino
Office of the United States Trustee

A:\0485595.O.wpd